



SOWELL GRAY STEPP & LAFFITTE, LLC
ATTORNEYS AND COUNSELORS AT LAW

July 30, 2008

VIA ELECTRONIC FILING

Charles L.A. Terreni, Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

**Re: Complaint of Café Enterprises d/b/a Fatz Café v. Deltacom, Inc.
Docket No. 2008-148-C**

Dear Mr. Terreni:

Enclosed please find for the Commission's consideration a proposed Consent Order of Dismissal with Prejudice in the above-referenced matter.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Robert E. Tyson, Jr.

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RETjr:lam

Enclosure

cc: Gerald Johnson
C. Lessie Hammonds
D. Anthony Mastando Jr., Esq.

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**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2008-148-C - Order No. 2008 - _____

August _____, 2008

IN RE:

Complaint of Café Enterprises d/b/a Fatz
Café,

v.

DeltaCom, Inc.

CONSENT ORDER OF DISMISSAL
WITH PREJUDICE

The parties in this docket, Café Enterprises d/b/a Fatz Café ("Fatz"); Business Telecom, Inc. ("BTI"), Complainant's actual service provider and DeltaCom, Inc., an affiliate of BTI ("DeltaCom"), hereby request dismissal of the Complaint because issues presented in the Complaint have been resolved through a negotiated settlement between Fatz, BTI and DeltaCom, and, therefore, the issues in this docket are now moot. It is our understanding that the Office of Regulatory Staff does not oppose the dismissal

Now, therefore, base upon the consent of all parties of record as reflected by the signatures of their attorneys set forth below,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint in the above-captioned matter are hereby dismissed with prejudice.

Signature page follows

AND IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

By:

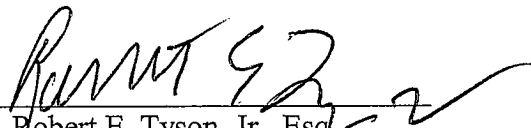
Elizabeth B. Fleming, Chairman
Chairman

ATTEST:

John E. Howard
Vice Chairman

(SEAL)

WE CONSENT:

By: 
Robert E. Tyson, Jr., Esq.
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1310 Gadsden Street
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(803) 929-1400

and

D. Anthony Mastando Jr., Esq.
Vice President Regulatory
DeltaCom, Inc.
7037 Old Madison Pike, Suite 400
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(256) 382-3856

Attorneys for Business Telecom, Inc. and DeltaCom, Inc.

WE CONSENT:

By: 

Gerald Johnson, VP of Purchasing
Café Enterprises d/b/a Fatz Café
4324 Wade Hampton Blvd., Suite B
Taylors, SC 29687

Complainant